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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/213,275 12/17/98 WEN

Y MR929-505

EXAMINER

PM92/0222

ROSENBERG KLEIN AND BILKER
SUITE 105
3444 ELLICOTT CENTER DRIVE
ELLICOTT CITY MD 21403

MAR, M

ART UNIT

PAPER NUMBER

3619

DATE MAILED:

02/22/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/213,275

Applicant(s)
Yi-Ling Wen

Examiner
Michael Mar

Group Art Unit
3619



☒ Responsive to communication(s) filed on Dec 14, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire Three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 1, 3-5, 7, and 8 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1, 3-5, 7, and 8 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4, 7 & 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevenson '963 in view of Stevenson '520 (both of record).

Stevenson '963 discloses a skateboard comprising a top plate 10A, a bottom plate 10B, and four longitudinally extending vertical members(see Fig. 2), the two inner vertical members constituting strengthened frames and the two outer vertical members constituting ribs between the strengthened frames and a respective closed side plate, and two pairs of wheels rotatably mounted to corresponding support brackets which are coupled to the bottom plate. Stevenson '963 further discloses that the skateboard could be made of a moldable material such as plastic or aluminium.

Stevenson '520 teaches the use of a flexible protective pad 11 which covers the side and end portions of a skateboard deck.

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It would have been obvious to provide the skateboard body of Stevenson '963 with a protective pad which covers the end portions as taught by Stevenson '520 in order to protect the end portions from damage when engaging obstacles.

3. Claims 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevenson '963 in view of Stevenson '520 as applied to claim 1 above, and further in view of Document U (all of record).

Document U discloses on page 48 that skateboards bodies have been made of aluminum and surfboard foam.

It would have been obvious to modify the skateboard of Stevenson '963 and Stevenson '520 as combined above by making the body entirely of aluminium and filling the interior with foam as taught by document U in order to make the body stronger and more rigid while maintaining a lightweight body.

4. Applicant's arguments with respect to claims 1, 3-5, 7 and 8 have been considered but are moot in view of the new ground(s) of rejection.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

6. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to *Group Art Unit 3619*.

7. **Any response to this action should be mailed to:**

Assistant Commissioner for Patents
Washington, D.C. 20231

or faxed to:

(703) 308-2571

(for formal communications intended be entered)

(all informal communications should be labeled "PROPOSED" OR "DRAFT")

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or hand delivered to:

Crystal Park 5, 2541 Crystal Drive, Arlington, Virginia 22202

Seventh Floor(receptionist)

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Mar at telephone number (703) 308-2087, or by e-mail to:

michael.mar@uspto.gov

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

Michael Mar

MICHAEL MAR

2-21-00

Primary Examiner

M.Mar

2-21-2000